



Agricultural Land Commission Staff Report

DATE: June 2, 2010
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Jennifer Carson

RE: Application # 51640
PROPOSAL: Non Farm Use - To build three cabins for tourist accomodation.

PROPOSAL INFORMATION

Background: The cabins will be 600 sq ft each, and located in treed area.
Received Date: March 11, 2010
Applicant: John Edwards, Johanna Huiberts
Agent: N/A
Local Government: Regional District of Central Kootenay

DESCRIPTION OF LAND

PID: 025-849-182
Legal Description: Lot 2, District Lots 196 and 7615, Kootenay District, Plan NEP74848
Civic Address: 15988 Crawford Creek Road, Crawford Bay
Area: 6.9 ha
ALR Area: 3.4 ha
Purchase Date: March 1, 1985
Owners: Johanna Huiberts
John Edwards

Total Land Area: 6.9 ha
Total ALR Area: 3.4 ha
Current Land Use: Residence, woodshed, chicken house, barn, greenhouse, orchard

PROPOSAL DETAILS

Non Farm Use

Area	Agricultural Capability	Agricultural Capability Source
0.1	Mixed Prime and Secondary	CLI

Surrounding Land Uses:

North Wedgewood Manor Country Inn - tourist accommodation & forested acreage
East Forest
South Residence, unused barn, pasture (unused) -summer residence only
West Crawford Creek Road, across road is house & treed acreage

Official Community Plan

Bylaw Name: Kootenay Lake - Area A OCP Bylaw 1978, 2008

Designation: Tourist Commercial

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: No zoning bylaw exists for this area

Zoning Designation:

Minimum Lot Size: 1.0 ha

Zoning Compliance:

PREVIOUS APPLICATIONS

Application #: 14145

Applicant: John Edwards

Proposal: To add three 600 sq ft cabins as recreational accommodation to the existing 6 bedroom B & B. The "Wedgewood Manor" is a 20 ha estate in Crawford Bay (east side of Kootenay Lake) which was originally developed as a gentleman's farm (fruit trees, pasture etc)

Decisions:

Resolution

Number

Decision Date

Decision Description

470

July 21, 1999

The Commission allowed the construction of three 600 sq ft recreation cabins on the property to complement the existing 6 bedroom B & B.

RELEVANT APPLICATIONS

Application #: 51248

Applicant: Kokanee Springs Resort Ltd

Proposal: To exclude 19.4 ha from the ALR, comprising three lots (11 ha, 2 ha, 6.4 ha). The purpose of exclusion is to amend the ALR boundary to better facilitate future usage of the adjacent land for Kokanee Springs Resort.

Decisions:

Resolution

Number

Decision Date

Decision Description

2337

March 25, 2010

Allow exclusion with the exception of the golf hole that straddles the properties.

Note: the subject property is to the north west of the current application's subject property.

Application #: 45191

Applicant: Parcel 85 Holdings Inc

Proposal: To exclude the 7.5 ha property from the ALR in order to facilitate subdivision in the

future.

Decisions:

Resolution Number	Decision Date	Decision Description
644	October 1, 2008	Allowed.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	No Comment	No comments. Advise that building permit is required prior to construction.
Board/Council	No Comment	Referred to the Area Director. A Regional Board Resolution may follow in due course.

STAFF COMMENTS

Staff suggests the Commission consider the following:

- The agricultural capability of the subject property is improvable to Class 3 and 4 with the limitations of climate and topography.
- The applicants have owned the property since March 1985.
- In a previous application (#14145/32715) on the parent property, the Commission made the decision to allow the construction of three cabins. Since this time, property boundaries have been adjusted and the applicants sold the Wedgewood Manor County Inn, and the area which included the approval for three cabins to be built, while only one has been built to date.
- The applicants have submitted a letter, email and photographs explaining their proposal which are appended to the application. The applicants have chosen forested and non-agricultural locations for the three cabins and have indicated that they would be prepared to place the cabins on temporary foundations as long as this would be permitted by local government.

ATTACHMENTS

- 51640 proposal.pdf
- 51640 sketch.pdf
- 51640_AgCapabilityMap.pdf
- 51640_AirphotoMap10k.pdf
- 51640_ContextMap20k.pdf

END OF REPORT

Signature

Date